

def

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

THE HINDU TEMPLE SOCIETY OF NORTH
AMERICA, a New York religious corporation;
NARENDRA DESAI; MATHY PILLAI;
NIRMALA RAMASUBRAMANIAN; HYMA
REDDY; DR. PATHMINI PANCHACHARAM;
DR. BRAHMAN SIVAPRAKASA PILLAI;
KRISHNASWAMY ANANDARAM; DR. UMA
MYSOREKAR; DR. GADDAM
DASARATHARAM REDDY; DR. CHITTI
RAMAKRISHNA MOORTHY;
SHIVAKUMAR KUSUMA PRABHAT; VIJAY
KHANNA; SUBARAMANIAM
SUNDARARAMAN; LAKSHESH SHANTILAL
PANCHAL; RAJ GOPAL IYER,

Plaintiffs,

v.

THE SUPREME COURT OF THE STATE
OF NEW YORK, ANTHONY J.
PIACENTINI, in his official capacity;
JOSEPH G. GOLIA, in his official capacity;
SAMBASIVA RAO VENIGALLA;
KATTINGER V. RAO; ANAND MOHAN;
VENKAIAH DAMA, NEHRU E.
CHERUKUPALLI; KRISHNAMURTHY
AIYER, and VASANTRAI M. GANDHI,

Defendants.

CASE No. CV. 04 3342

(RJD)

NOTICE OF MOTION
FOR PRELIMINARY INJUNCTION

Attorneys for all Defendants:

Please take Notice that, on the annexed affidavits and exhibits, we will move this Court before the Honorable, *Raymond J. Dearie* At the United States Courthouse for the Eastern District of New York, Courtroom *9* on August *17*, 2004 at *Noon* in the noon, or as soon thereafter as counsel may be heard, for a Preliminary Injunction enjoining Defendants ANTHONY J. PIACENTINI, in his official capacity; JOSEPH G. GOLIA, in his official capacity; SAMBASIVA RAO VENIGALLA; KATTINGER V. RAO; ANAND MOHAN; VENKAIAH DAMA, NEHRU E. CHERUKUPALLI; KRISHNAMURTHY AIYER, and VASANTRAI M. GANDHI, from:

- (1) attempting to impose a membership requirement on the Temple or otherwise send any mailing to the mailing list of the Temple;
- (2) citing the Plaintiffs for contempt;
- (3) imposing any other penalty on Plaintiffs for the exercise of their constitutionally protected rights,
- (4) conspiring with one another to deprive Plaintiffs of their civil rights,
- (5) continuing in force and effect any orders interfering with construction of Temple facilities or limiting in any way the Plaintiffs' ability to communicate with its devotees and other persons interested in the Temple;
- (6) convening secret hearings with respect to the matters arising out of the State Court Action,
- (7) engaging in ex parte communications with the parties to the State Court Action,
- (8) forbidding Plaintiffs from bringing counsel to proceedings related to the State Court Action, or

(9) forbidding Plaintiffs from making a record of the any proceedings related to the State Court Action.

AND for such other relief as is just and appropriate in the premises.

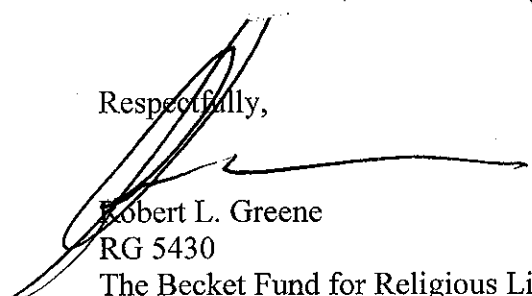
Personal Service of this Notice of Motion, the attached exhibits and the Memorandum of Law in Support of the Motion upon the Attorney General of the State of New York, Anthony J. Piacentini, Krishnan Chittur, attorney for Sambasiva Rao Venigalla; Kattinger V. Rao; Anand Mohan; Venkaiah Dama, and Nehru E. Cherukupalli; ~~and by overnight mail upon~~ Krishnamurthy Aiyer, RJD and Vasantra M. Gandhi by August 10, 2004 shall be deemed good and sufficient service.

Responsive papers shall be served on the attorneys for the Plaintiffs personally or by overnight delivery on or before 11 AM,

*and filed with the
Monday, Aug. 16 Court*

Dated: August 4, 2004

Respectfully,


Robert L. Greene
RG 5430

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